

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

FENNER INVESTMENTS, LTD.,

Plaintiff,

v.

HEWLETT-PACKARD COMPANY and
DELL, INC.

Defendants.

Case No.: 6:08-CV-00273 (LED)

**DEFENDANTS HEWLETT-PACKARD COMPANY AND DELL, INC.'S
SECOND SUPPLEMENTAL TRIAL WITNESS LIST**

Pursuant to Fed. R. Civ. P. 26(a)(3) and the Court's November 25, 2009 Discovery Order, Hewlett Packard Company ("HP") and Dell, Inc. ("Dell") (collectively, "Defendants") hereby submit their Second Supplemental List of Witnesses for the trial currently scheduled for May 10, 2010.

Defendants reserve the right to supplement and amend the list in light of any order regarding the scope of the trial or in light of any information submitted by Fenner Investments, Ltd. ("Fenner") as part of its pretrial filings or otherwise. Defendants have not listed such additional witnesses as may be required solely for document authentication, or who may be needed for rebuttal purposes. Finally, Defendants reserves their right to call any witness that appears on Fenner Investments, Ltd.'s witness list, and to offer additional testimony by deposition or trial transcript. At this time, Defendants identify the following witnesses that they expect to present at trial and those whom Defendants may call if the need arises:

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
1.	Gerald Amen			X
2.	George Archuleta			X
3.	Karl Auerbach			X
4.	Fred Baker			X
5.	Dwight Barron		X	
6.	Steve Barry			X
7.	Steven M. Bellovin	X		
8.	Len Bosak			X
9.	Robert Braden			X
10.	John Butler			X
11.	Tom Carbajal			X
12.	Christopher Casias			X
13.	Madeleine Alima Colin			X
14.	Antonio Collantes			X
15.	Paul Congdon		X	
16.	Joe Curcio (live or by deposition designation)	X		
17.	Lehi K. Davis			X
18.	Clem DePalma			X
19.	Allison Dew			X
20.	Jay Dombrowski			X
21.	Jason Echols (live or by deposition designation)	X		

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
22.	Justin Estrin			X
23.	Joseph Farrell (live or by deposition designation)	X		
24.	Bob Faulk		X	
25.	Peter R. Fenner (live or by deposition designation)		X	
26.	Jeremy Foland			X
27.	Steve Gillaspay (live or by deposition designation)	X		
28.	Mark Gooch		X	
29.	Darryl Hanson		X	
30.	John Hart		X	
31.	Eric Hayes		X	
32.	Mike Holzer			X
33.	Marc Hubbard			X
34.	Vikas Jain		X	
35.	Dwight Jaynes			X
36.	Tony Jeffries			X
37.	Brian Jennings			X
38.	Heidi Johnsich			X
39.	Bill Johnson		X	
40.	Stephen Jue			X
41.	Roger Keisling			X
42.	Bryan Kelly			X

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
43.	Joe Kennedy			X
44.	Andre Kindness			X
45.	Bruce LaVigne		X	
46.	Vincent C. Lefebvre			X
47.	Tony Leija		X	
48.	Jon Lewis			X
49.	Bill Lidinisky			X
50.	Marc Lucas			X
51.	David MacDonald		X	
52.	Orlando Marquez			X
53.	Jim McCreedy			X
54.	Guy McSwain			X
55.	Duane Mentze			X
56.	Jeffrey Mogul			X
57.	Luis F. Moreira		X	
58.	James J. Nawrocki	X		
59.	David O'Leary			X
60.	Pat Nettles			X
61.	Brian Payne			X
62.	Anthony Peterman		X	
63.	David Pokorney			X

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
64.	Dr. Narasimha Reddy	X		
65.	John Revell (live or by deposition designation)	X		
66.	Mike Roberts			X
67.	Rich Rollins			X
68.	Michael Scriber			X
69.	Michael John ("Mick") Seaman	X		
70.	Laurie Shaw		X	
71.	Dylan Swann			X
72.	Kurt Schneider			X
73.	John A. Shriver (live or by deposition designation)	X		
74.	Brent Soon			X
75.	Dave Sporck			X
76.	Christopher Stidvent			X
77.	William Streeter, Esq.		X	
78.	Wade Sullivan			X
79.	Douglas W. Tsui (live or by deposition designation)	X		
80.	Guy Van Buskirk			X
81.	Kevin Walsh			X
82.	Lynne J. Weber	X		
83.	Corporate representative of Broadcom Corp.		X	
84.	Corporate representative of 4 Eagle Magic, LLC			X

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
85.	Corporate representative of Cisco Systems, Inc.		X	
86.	Corporate Representative of Microsoft Corp.		X	

Dated: April 13, 2010

Respectfully Submitted,

/s/ Mark J. Abate

(with permission by Jennifer P. Ainsworth)

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(with permission by Jennifer P. Ainsworth)

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*ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service, Local Rule CV-5(a)(3)(A), on this the 13th day of April, 2010.

/s/ Jennifer Parker Ainsworth
Jennifer Parker Ainsworth